S.B.Cr.Misc. Bail Appli. No.4958/2007
(Kishan Lal vs. State of Rajasthan)

Date of order : October 29, 2007

HON'BLE MR.H.R.PANWAR,J.

None present, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

No one appears for the petitioner.

Heard learned Public Prosecutor for the State. Perused the memo of bail application as also the order impugned and the police investigation diary.

It is contended by learned Public Prosecutor that the petitioner was earlier indulged in similar nature of offence being FIR No.42/2006 and the case is pending. The petitioner was released on bail and after having been released on bail, he again committed similar offence and a huge quantity of illicit liquor was recovered and the matter is at the investigation stage.

In this view of the matter, in my view, it is not a fit case to release the petition on bail. The bail application filed by

the petitioner under section 439 Cr.P.C. is, therefore, dismissed. However, it will be open for the petitioner to file a fresh bail application after the challan is filed.

(H.R.PANWAR),J.

m.asif/-